

SECOND REGULAR SESSION

HOUSE BILL NO. 1082

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WELLS (Sponsor), ROWLAND AND WRIGHT (Co-sponsors).

4036L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 337.500 and 337.510, RSMo, and to enact in lieu thereof two new sections relating to licensed professional counselors.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 337.500 and 337.510, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 337.500 and 337.510, to read as follows:

337.500. As used in sections 337.500 to 337.540, unless the context clearly requires otherwise, the following words and phrases mean:

(1) "Committee or board", the committee for professional counselors;

(2) "Department", the Missouri department of insurance, financial institutions and professional registration;

(3) "Director", the director of the division of professional registration;

(4) "Division", the division of professional registration;

(5) "Licensed professional counselor", any person who offers to render professional counseling services to individuals, groups, organizations, institutions, corporations, government agencies or the general public for a fee, monetary or otherwise, implying that the person is trained, experienced, and licensed in counseling, and who holds a current, valid license to practice counseling;

(6) "Practice of professional counseling", rendering, offering to render, or supervising those who render to individuals, couples, groups, organizations, institutions, corporations, schools, government agencies, or the general public any counseling service involving the application of counseling procedures, and the principles and methods thereof, to assist in

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 achieving more effective intrapersonal or interpersonal, marital, decisional, social, educational,
18 vocational, developmental, or rehabilitative adjustments;

19 (7) "Professional counseling", includes, but is not limited to:

20 (a) The use of verbal or nonverbal counseling or both techniques, methods, or procedures
21 based on principles for assessing, understanding, or influencing behavior (such as principles of
22 learning, conditioning, perception, motivation, thinking, emotions, or social systems);

23 (b) Appraisal or assessment, which means selecting, administering, scoring, or
24 interpreting instruments designed to assess a person's or group's aptitudes, intelligence, attitudes,
25 abilities, achievement, interests, and personal characteristics;

26 (c) **Diagnosing, counseling, preventing, and ameliorating of mental, emotional, and**
27 **behavioral disorders;**

28 (d) The use of referral or placement techniques or both which serve to further the goals
29 of counseling;

30 [(d)] (e) Therapeutic vocational or personal or both rehabilitation in relation to coping
31 with or adapting to physical disability, emotional disability, or intellectual disability or any
32 combination of the three;

33 [(e)] (f) Designing, conducting, and interpreting research;

34 [(f)] (g) The use of group methods or techniques to promote the goals of counseling;

35 [(g)] (h) The use of informational and community resources for career, personal, or
36 social development;

37 [(h)] (i) Consultation on any item in paragraphs (a) [through (g) above] **to (h) of this**
38 **subdivision;** and

39 [(i)] (j) No provision of sections 337.500 to 337.540, or of chapter 354 or 375, shall be
40 construed to mandate benefits or third-party reimbursement for services of professional
41 counselors in the policies or contracts of any insurance company, health services corporation or
42 other third-party payer;

43 (8) "Provisional licensed professional counselor", any person who is a graduate of an
44 acceptable educational institution, as defined by division rules, with at least a master's degree
45 with a major in counseling, or its equivalent, and meets all requirements of a licensed
46 professional counselor, other than the supervised counseling experience prescribed by
47 subdivision [(1)] **(2) of subsection 1** of section 337.510, and who is supervised by a person who
48 is qualified for the practice of professional counseling.

337.510. 1. Each applicant for licensure as a professional counselor shall furnish
2 evidence to the committee that the applicant is at least eighteen years of age, is of good moral
3 character, is a United States citizen or is legally present in the United States; and

4 (1) The applicant has completed a course of study as defined by the board rule leading
5 to a master's, specialist's, or doctoral degree with a major in counseling; and

6 (2) The applicant has completed acceptable supervised counseling as defined by board
7 rule. If the applicant has a master's degree with a major in counseling as defined by board rule,
8 the applicant shall complete at least two years of acceptable supervised counseling experience
9 subsequent to the receipt of the master's degree. The composition and number of hours
10 comprising the acceptable supervised counseling experience shall be defined by board rule. An
11 applicant may substitute thirty semester hours of post master's graduate study for one of the two
12 required years of acceptable supervised counseling experience if such hours are clearly related
13 to counseling;

14 (3) After August 28, 2007, each applicant shall have completed a minimum of three
15 hours of graduate level coursework in diagnostic systems either in the curriculum leading to a
16 degree or as post master's graduate level course work;

17 (4) Upon examination, the applicant is possessed of requisite knowledge of the
18 profession, including techniques and applications, research and its interpretation, and
19 professional affairs and ethics.

20 **2. Effective August 28, 2014, any person rendering a diagnosis subject to sections**
21 **337.500 to 337.540, who was not required to complete coursework in diagnostic systems**
22 **pursuant to subdivision (3) of subsection 1 of this section, shall provide evidence of**
23 **completion of a three hour course in the diagnosis and assessment of persons with mental**
24 **and emotional disorders. The committee shall maintain a list of licensees who have**
25 **complied with this subsection or subdivision (3) of subsection 1 of this section. The list**
26 **shall not be a closed record under section 324.001.**

27 **3.** Any person who previously held a valid unrevoked, unsuspended license as a
28 professional counselor in this state and who held a valid license as a professional counselor in
29 another state at the time of application to the committee shall be granted a license to engage in
30 professional counseling in this state upon application to the committee accompanied by the
31 appropriate fee as established by the committee pursuant to section 337.507.

32 [3.] **4.** Any person holding a current license, certificate of registration, or permit from
33 another state or territory of the United States to practice as a professional counselor who is at
34 least eighteen years of age, is of good moral character, and is a United States citizen or is legally
35 present in the United States may be granted a license without examination to engage in the
36 practice of professional counseling in this state upon the application to the board, payment of the
37 required fee as established by the board, and satisfying one of the following requirements:

38 (1) Approval by the American Association of State Counseling Boards (AASCB) or its
39 successor organization according to the eligibility criteria established by AASCB. The successor
40 organization shall be defined by board rule; or

41 (2) In good standing and currently certified by the National Board for Certified
42 Counselors or its successor organization and has completed acceptable supervised counseling
43 experience as defined by board rule. The successor organization shall be defined by board rule;
44 or

45 (3) Determination by the board that the requirements of the other state or territory are
46 substantially the same as Missouri and certified by the applicant's current licensing entity that
47 the applicant has a current license. The applicant shall also consent to examination of any
48 disciplinary history.

49 [4.] 5. The committee shall issue a license to each person who files an application and
50 fee and who furnishes evidence satisfactory to the committee that the applicant has complied
51 with the provisions of this act and has taken and passed a written, open-book examination on
52 Missouri laws and regulations governing the practice of professional counseling as defined in
53 section 337.500. The division shall issue a provisional professional counselor license to any
54 applicant who meets all requirements of this section, but who has not completed the required
55 acceptable supervised counseling experience and such applicant may reapply for licensure as a
56 professional counselor upon completion of such acceptable supervised counseling experience.

57 [5.] 6. All persons licensed to practice professional counseling in this state shall pay on
58 or before the license renewal date a renewal license fee and shall furnish to the committee
59 satisfactory evidence of the completion of the requisite number of hours of continuing education
60 as required by rule, which shall be no more than forty hours biennially. The continuing
61 education requirements may be waived by the committee upon presentation to the committee of
62 satisfactory evidence of the illness of the licensee or for other good cause.

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